REMARKS

Claims 1-5, 8, 10-14, 17, 19-23 and 26 are presented for consideration, with Claims 1, 10 and 19 being independent.

The independent claims have been amended to further distinguish Applicants' invention from the cited art.

Claims 1, 5, 6, 8-10, 14, 15, 17-19, 23, 24, 26, 27, 31, 32, 34, 35 and 37-39 stand rejected under 35 U.S.C. §103 as allegedly being obvious over Blank '179. Claims 2, 4, 11, 13, 20, 22, 28 and 30 are rejected as allegedly being obvious over Blank in view of Buxton '427. Claims 7, 16, 25 and 33 are rejected as allegedly being obvious over Blank in view of Sugawa '610. Finally, Claims 3, 13, 21 and 29 are rejected as allegedly being obvious over Blank and Buxton, and further in view of the Rosenfeld publication. These rejections are respectfully traversed.

Applicants' invention as set forth in Claim 1 relates to an image forming apparatus comprised of a color determination unit that determines color information of a pixel to be synthesized based upon a color of a source pixel, a color of a destination pixel and a transmissivity, and an attribute determination unit that determines attribute information of the pixel to be synthesized based upon attribute information of the source pixel, attribute information of the destination pixel and the transmissivity. The attribute information of a pixel indicates that the pixel belongs to which of an image, a graphic or a character. In addition, an image processing unit is provided to perform image processing based upon the attribute information of each pixel determined by the attribute determination unit.

In accordance with Applicant's claimed invention, attribute information of the pixel to be synthesized is based upon attribute information of a source pixel, attribute information of a destination pixel and transmissivity. In this way, a high quality image can be generated by the image forming apparatus.

As discussed in the previous Amendment of May 24, 2005, the Blank patent relates to a system for editing digital images. In this system a background of an image including an object image is removed, and then the object image is combined with a preselected background image to form a composite image. The gamma of the preselected background and the gamma of the object image are matched so as to make the object appear as if it was imaged under the same lighting conditions as the background image. With reference to Figure 8 of the Blank patent, either the gamma of the background or the gamma of the object image is selected. As read, an attribute of transparency indicates whether a pixel is transparent or opaque.

In contrast to Applicant's claimed invention, however, Blank fails to teach or suggest, among other features, determining attribute information of a pixel to be synthesized based upon attribute information of a source pixel and attribute information of a destination pixel and the transmissivity. Instead, and as shown in Figure 8, the gamma is selected from gammas of the object image and the background image, but the selected gamma is not selected in accordance with the transmissivity. Instead, gamma is selected by a user who can select a desired gamma (see column 16, lines 1-13). With respect to Figures 4a-4h of Blank, a sequence of images are shown and the layering of these images is based on transparency/opacity of the overlaid layers, but this cannot be said to teach or suggest determining attribute information of a pixel as recited

in Applicant's claims. Blank also fails to teach or suggest that the attribute information of a pixel is indicative of the pixel belonging to an image, a graphic or a character.

Independent Claims 10 and 19 have been amended along the lines of Claim 1 to include an attribute determining step of determining attribute information of the pixel to be synthesized based upon attribute information of a source pixel, attribute information of the destination pixel and the transmissivity, with the attribute information of a pixel indicating that the pixel belongs to which of an image, a graphic or a character. These claims are thus also submitted to be patentable over Blank for the same reasons discussed above with respect to Claim 1.

Accordingly, it is submitted that Blank fails to anticipate or render obvious Applicant's claimed invention, and therefore reconsideration and withdrawal of the rejection of Claims 1, 5, 6, 8-10, 14, 15, 17-19, 23, 24, 26, 27, 31, 32, 34, 35 and 37-39 is respectfully requested.

The secondary citations fail to compensate for the deficiencies in Blank. Buxton relates to a graphical user interface with optimal transparency thresholds and performs optimizations based on an examination of window objects or components with respect to transparency. The patent to Sugawa relates to an image processing apparatus and was relied upon for teaching that pseudo-tone processing based on the dither method or error diffusion method is better sited for halftone images such as photographs. Lastly, the Rosenfeld publication relates to digital picture processing and discloses segmentation of a picture using multilevel thresholding. The citations as a whole, however, fail to compensate for the deficiencies in Blank with respect to Applicant's independent claims as discussed above. Therefore, without

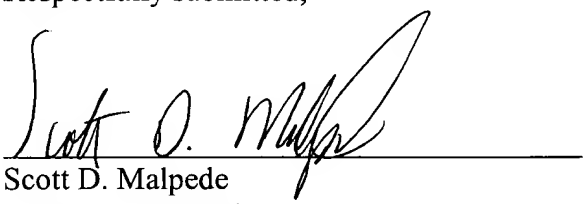
conceding the propriety of modifying Blank in the manner proposed in the Office Action, such combinations still fail to teach or suggest Applicant's claimed invention. Accordingly, reconsideration and withdrawal of the remaining rejections under 35 U.S.C. §103 are respectfully requested.

Accordingly, it is submitted that Applicant's invention as set forth in independent Claims 1, 10 and 19 is patentable over the cited art. In addition, dependent Claims 2-5, 8, 11-14, 17, 20-23 and 26 set forth additional features of Applicant's invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Scott D. Malpede
Attorney for Applicant
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
SDM\mm

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